

Developmental Disabilities Program Policy and Procedures Manual		Control # 01.03.411
Volume 1: Program Administration	section 3: Developmental Disabilities Program Policies	
	subject: Consumer Rights	

PURPOSE (411.1) The Department of Public Health and Human Services and all entities having contracts with the Department's Developmental Disabilities Program recognizes that service recipients retain the same rights as any other citizen and those rights may not be restricted except as stated in the Administrative Rules of Montana (ARM) 37.34.1418, and include but are not limited to:

- RIGHTS (411.2)**
1. The right to education and training services;
 2. The right to reside, work and receive treatment in a safe environment;
 3. The right to an Individual plan developed by the service recipient and a interdisciplinary team;
 4. The right to prompt medical and dental care;
 5. The right to a nourishing, well-balanced diet;
 6. The right to acquire the assistance of an advocate;
 7. The right to the opportunity for religious worship;
 8. The right to just compensation for work performed; and or
 9. Any other rights guaranteed by civil or constitutional law.

At the time of entry into services a copy of the Consumer Rights Policy must be provided to the service recipient and their guardian if applicable. The receipt of the document must be acknowledged by a signature on the policy and a copy must be kept in the individual's file.

**RESTRICTIONS OF
RIGHTS (411.3):**

If a consumer's rights are restricted as part of a Personal Support Plan, or an approved behavior plan the Personal Support Plan Rights Restriction Form must be approved, signed and in place. The process to restrict a consumer's rights must be in accordance

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with Administrative Rule. Any restriction of consumer's rights without proper rights restriction or other legal authority must be considered a reportable incident.

**DOCUMENTATION AND
REPORTING OF ALLEGED
VIOLATIONS (411.4):**

All reportable incidents shall be documented on the Incident Report Form as required in the Incident Management Policy and reported to a central point within the Service Provider. The information will be reviewed and assessed and trends will be monitored by the agency's Incident Management Committee and quality improvement systems, as required by the Developmental Disabilities Program's Incident Management Policy. The service provider identifying a Reportable Incident and initiating an Incident Report Form must notify the consumer's Targeted Case Manager and Regional Quality Improvement Specialist of the Reportable Incident within two working days by submitting a copy of the Incident Report Form.

**CONSUMER/GUARDIAN
SIGNATURE**_____


DATE_____



Director, Developmental Disabilities Program

6-4-09

Date



Web Manager, Developmental Disabilities
Program

6/4/09

Date

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